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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/577,698

04/28/2006

Bhunja Debnath

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3725

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EXAMINER

MCDOWELL, BRIAN E

ART UNIT

PAPER NUMBER

1624

MAIL DATE

DELIVERY MODE

07/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/577,698	DEBNATH ET AL.	
	Examiner	Art Unit	
	BRIAN MCDOWELL	1624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-31, 35, 63, 64, 70 and 77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 28-31, 35, 63, 64, 70, 77 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

/BEM/

DETAILED ACTION

Status of Claims

Claims 28-31, 35, 63, 64, 70, and 77 are pending in the instant application. Claim 77 is new.

Status of Specification

Applicant's amendment of the abstract, see Remarks, filed 4/29/2009, with respect to the objection set forth in the Non-Final Office Action mailed 3/4/2009, has been fully considered and the objection has been overcome.

Status of Claim Objections

Applicant's amendment of claim 64, see Remarks, filed 4/29/2009, with respect to the objection set forth in the Non-Final Office Action mailed 3/4/2009, has been fully considered and the objection has been overcome.

Status of Rejections

35 USC § 112 (2nd Paragraph)

Applicant's amendment of claim 28 in reference to the indefinite rejection of claims 28-31, 35, 63, 64, and 70, see Remarks, filed 4/29/2009, with respect to the rejection set forth in the Non-Final Office Action mailed 3/4/2009, has been fully considered and the rejection has been overcome.

35 USC § 102

Applicant's amendment of claim 28 in reference to the 102(e) rejection of claims 28, 29, 63, and 70, see Remarks, filed 4/29/2009, with respect to the rejection set forth

in the Non-Final Office Action mailed 3/4/2009, has been fully considered and the rejection has been overcome.

35 USC § 112 (1st Paragraph)

Applicant's amendment of claim 63 in reference to the rejection of claims 63, 64, and 70, see Remarks, filed 4/29/2009, with respect to the rejection set forth in the Non-Final Office Action mailed 3/4/2009, has been fully considered and the rejection has been overcome.

New Objections and Rejections

Claim Objections

Claims 28-31, 35, 63, 64, 70, and 77 are objected to because they contain non-elected subject matter. Applicant's elected invention is drawn to compounds and simple compositions thereof of the formula Ia where B = a bond, and Ar = naphthalene or tetrahydronaphthalene (Group I, see restriction requirement). A complete reply to this action must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Conclusion

No claims are allowed.

Potential Reasons for Allowance

The instantly claimed compounds contain novel alkyl chains situated between Ar₁ and –NH. The closest prior art is described by Fujimoto *et al.* (US Patent 7,202,364).

The limitations listed supra represent the limitations that are not taught or fairly suggested by the prior art.

This application is in condition for allowance except for the following formal matters: See above regarding non-elected subject matter

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN MCDOWELL whose telephone number is (571)270-5755. The examiner can normally be reached on Monday-Thursday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. James O. Wilson can be reached 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. E. M./

Examiner, Art Unit 1624

/James O. Wilson/

Supervisory Patent Examiner, AU 1624